

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING - March 23, 2000
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-44)*

Members: Henry P. Szymanski *(voting on items 1-33, 35-44)*
Scott R. Winkler *(voting on items 1-44)*
Catherine M. Doyle *(voting on items 1-44)*
Roy B. Nabors *(voting on items 1-44)*

Alt. Board Members: Georgia M. Cameron *(Not voting)*
Donald Jackson *(voting on items 34)*

START TIME: 2:10 p.m.

END TIME: 5:15 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	22843 Rehearing Request	Khaled Almousa South East Investments, Inc., Property Owner Request for a rehearing to allow a larger sign than what was originally approved.	1400 S. 6th St. 12th Dist.
	Action:	Denied	
	Motion:		
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
3	22558 Special Use	Milanko Djurdjulov Lessee Request to occupy a portion of the first floor of the premises for a taxi cab dispatch facility.	304 E. Florida St. 12th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the Special Use. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	22850 Change of Operator	Metro Area Properties, Inc David H. Hatcher, Jr., Lessee Request for a change of operator to continue occupying the premises as a rooming house.	736-38 S. 3rd St. 12th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	22860 Change of Operator	Juan A. Pinto, Lessee Request to continue occupying the premises as a grocery store, with food preparation and packaging.	1201 S. 33rd St. 16th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	22834 Special Use	Hansen's Auto Detailing, Lessee Scott Hansen Request to occupy the premises as a car wash.	3250 N. 77th St. A/K/A 7625 W. Lisbon 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That all waste water is contained inside of the building and drained by means of a legal sewer lateral. 2. That no storage or work on any vehicles related to this use occurs in any street, alley, or sidewalk right-of-way. 3. That all activity associated with the proposed operation is conducted inside of the building. 4. That no vehicles are parked in the alley or on the street. 5. That all wastewater associated with the operation is contained on-site. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	22849 Dimensional Variance	Bart Bohne, Property Owner Request to convert existing commercial 1st floor space into a dwelling unit creating a total of 4 residential units on the site.	2401-07 N. Weil St. 6th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That a driveway constructed in conformance with City specifications is provided to the garage from E. Meikecke Ave. 2. That the garage apron is paved. 3. That a fence or other raised buffer is provided between the E. Meinecke Ave. sidewalk and the parking slab in the rear yard. 4. That garbage carts are not kept in the sidewalk area, or any other portion of the public street or alley right-of-way. 5. That this Variance is granted to run with the land. 	
8	22856 Special Use	The New and Used Store Betty J. Avery, Lessee Request to occupy the premises as a new and second hand sales facility.	3805-09 W. Center St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the storefront windows remain as clear glass and are maintained in an attractive manner. 2. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 3. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 4. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	22826 Dimensional Variance	Aryin Block, Property Owner Request to construct a 2nd floor addition to the existing building.	2529 W. Maple St. 8th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
10	22845 Dimensional Variance	Chet M. Ramskugler, Property Owner Request to construct a one story addition to the north of the dwelling unit.	5000 W. Kinnickinnic River Pk. 8th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	22846 Special Use	Kelly's Exotic Nails Kelly Cambell, Lessee Request to occupy the premises as a personal services (nail salon) facility.	6916 N. Teutonia Av. A/K/A 6914-18 N. Teutonia 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
12	22838 Special Use	Stepping Stone Learning Center Prospective Buyer Request to occupy the premises as a day care center for 130 children, ages 6 wks to 13 yrs, from 6 a.m to 12 a.m Mon-Fri and 6 a.m. to 6 p.m. on Sat/Sun.	3765 N. 35th St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the operator complies with current State commercial code for day cares. 2. That a buffer is installed between the parking lot on site and the N. 25th St. right-of-way. 3. That all parking spaces on site are delineated with permanent pavement markings in a manner consistent with the site plan. 4. That signage is limited to a maximum of 50 square feet. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	22829 Special Use	Soup Bros., LTD Richard Regner and Kevin Sloan, Lessee Request to occupy the premises as a type 'A' restaurant.	209 W. Florida St. A/K/A 401-13 S. 2nd St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of DPW and will be rescheduled at the next available hearing.	
14	22844 Special Use	Dodge City of Milwaukee Lessee Request to construct a parts storage addition to the north end of the existing building on the lot.	4640 S. 27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the appellant complies with all previous conditions of the Board of Zoning Appeals relative to this special use. 2. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 3. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 4. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
15	22827 Dimensional Variance	Timothy Putney, Property Owner Request to construct an addition to the rear of the existing dwelling unit.	3054 S. Superior St. 14th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	22767 Special Use	Joanie Green Circle of Life Child Care Center, Property Owner Request to occupy the premises as a day care center for 72 children, ages 6 mo. to 12 yrs., from 6 a.m. to 6 p.m.	1801 N. 12th St. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the operator complies with current State commercial code for day cares. 2. That a loading zone of a minimum length of 120 feet is applied for and maintained on W. Vine St. 3. That all child drop-off and pick-up occurs on W. Vine St. 4. That the operator implement any measures necessary to ensure that no vehicles associated with this use are stopped or parked in any bus stop or other area where parking is prohibited. 5. That signage is limited to a maximum of 40 square feet. 6. That the licensed capacity of the day care center is limited to the number of children able to be accommodated by the existing on-site play space as determined by the State of Wisconsin. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
17	22817 Special Use	Ms. Alisha's Helping Little Hands Day Care, Property Owner Alisha Fuller Request to occupy the premises as a day care center for 25 children, ages 6 wks. to 12 yrs., from 6 a.m. to 6 p.m.	4819 N. 36th St. A/K/A 4819 A. N 36th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the DPW and will be scheduled at the next available hearing.	

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18	22823 Use Variance	Ramos Appliances, Repair, and Resale Shop, Lessee Jose' Ramos Request to occupy the premises as a used sales and service facility.	4126 W. Capitol Dr. A/K/A 4122-30 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be scheduled at the next available hearing.	
19	22831 Use Variance	Providence Baptist Church Pastor, Joe A. Games, SR. Request to occupy the premises as a social service facility.	2407 W. Hampton Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	22842 Special Use	PH Green Bay, LLC., Lessee d/b/a Pizza Hut Request to continue occupying the premises as a Type 'B' restaurant.	6926 W. Capitol Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That all previous conditions are complied with. 2. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 3. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 4. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
20	22847 Change of Operator	O'Reilly Motor Car, Lessee Michael Loos Request to continue occupying the premises as a motor vehicle sales facility.	324 W. Cherry St. 6th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
21	22855 Dimensional Variance	Edward Jones Colliers, Turley, Martin, Tucker, Lessee Request to install an internally illuminated 22 sq. ft. sign on the premises.	3103 N. Oakland Av. A/K/A 3101 N. Oakland 3rd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	22833 Use Variance	Northern Trust Bank FSB. Helen Hamilton, Lessee Request to replace a projecting sign on the premises. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the clock does not project more than four feet beyond the property line. 2. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 3. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 4. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	526 E. Wisconsin Av. 4th Dist.
23	22840 Special Use	Cedar Square, LLC, Property Owner Request to occupy the premises as a rooming house. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.	1416 W. Kilbourn Av. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	22793 Special Use	ADJ's Child Development Center Marha Jean Gray, Property Owner	5348 N. 91st St. 5th Dist.
		Request to occupy the premises as a day care center for 30 children, ages 2 - 12 yrs., from 6 a.m. to 6 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the operator obtains a conversion permit and meets current State building code for commercial buildings, including building code setback restrictions. 5. That the side driveway is not used by parents for child drop-off and pick-up. 6. That no parents' or other vehicles associated with this use are stopped at any time in areas on-street designated as No Parking Zones. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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25	22797 Special Use	Greater True Vine Outreach Ministry James Green, Lessee	2600-04 N. Booth St. 6th Dist.
		Request to occupy the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the rear parking area is paved. 5. That a landscape buffer is installed between the sidewalk and paved parking surfaces. 6. That parking stalls on site are delineated with permanent pavement markings. 7. That signage must be limited to a maximum of 25 square feet, 8. That the boarded storefront windows must be restored to clear glass and must be maintained in an attractive manner. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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26	22813 Use Variance	Heartlove Place, Prospective Buyer Joseph M. DeRosa Request to occupy the premises as a multi-use building consisting of a community center, laundromat, day care center and print shop. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the rear parking area be used only for employee parking. 5. That a loading zone of a minimum width of 120 feet be applied for and maintained on N. Dr. Martin L. King Jr. Dr. adjacent to the day care entrance for child drop-off and pick-up. 6. That these Special Uses and these Variances are granted for a period of ten (10) years, commencing with the date hereof.	3229 N. Martin L King Dr. 6th Dist.
27	22819 Special Use	AAA Affordable Transmission Michael J. Latona, Prospective Buyer Request to occupy the premises as a motor vehicle repair facility. Action: Adjourned Motion: Roy Nabors moved to adjourn the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	5004 W. Center St. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	22760 Special Use	H&M Auto Service & Transport, Lessee Request to continue occupying the premises as a motor vehicle salvage and parts sales facility and to add used motor vehicle sales.	2424 N. 30th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
29	22790 Special Use	Jacquelyn Williams, Property Owner Request to occupy the premises as a community living arrangement and social service facility.	2527 W. Monroe St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains an occupancy permit. 5. That the appellant submit an amended plan of operation to the Board office to clarify the number of employees, number of employees per shift, the total number of people to be housed (teenagers plus their children), and the relationship between this facility and the appellant's facility next door. 6. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	22791 Special Use	Jacquelyn Williams, Property Owner Request to occupy the premises as a community living arrangement and social service facility.	2531-33 W. Monroe St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant obtains an occupancy permit.</p> <p>5. That the appellant submit an amended plan of operation to the Board office to clarify the number of employees, number of employees per shift, the total number of people to be housed (teenagers plus their children), and the relationship between this facility and the appellant's facility next door.</p> <p>6. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof.</p>	
31	22806 Special Use	Precious World of Children Dev. & Lrng. Center, Prospective Buyer Lydia Geter & Phyllis A. Weakley Request to occupy the premises as a day care center for 40 children, ages 3 wks. - 12 yrs., from 6 a.m. to 12 p.m.	4722-24 W. Fond du lac Av. 10th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	22828 Special Use	A Place For Miracles Child Care David and Toni Howard, Property Owner	3422 N. 44th St. 10th Dist.
		Request to occupy the premises as a day care center for 30 children, ages 3 wks to 12 yrs, from 6 a.m. to 12 a.m.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to have appeal discussed as an administrative review item. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	22621 Dimensional Variance	Kubenik Development Corp. Don Kubenik, Property Owner	8603 W. Oklahoma Av. 11th Dist.
		Request to construct an eight family apartment on the premises.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That the appellant work with DCD staff to provide an acceptable masonry screening wall for the Oklahoma Ave. frontage, and to provide a decorative pavement treatment for the front access drive. 5. That the plan submitted is approved by the Milwaukee County Department of Public Works. 6. That the appellant submit this plan to the Board of Zoning Appeals. 7. That the dumpster screen not exceed 4 ft. in height and have no roof. 8. That this Variance is granted to run with the land. 	

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34	22735 Special Use	La Causa, Inc. , Property Owner Chris Martinez	1643-87 S. 2nd St. 12th Dist.
		Request to occupy the premises as a multi-use building.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not used after 7:00 P.M. 5. That site illumination is to be controlled to prevent glare onto adjacent streets and residences. 6. That signage is to be limited to a maximum of 40 square feet. 7. That these Special Uses and this Variance are granted for a period of ten (10) years, commencing with the date hereof.	
35	22814 Special Use	Oscar Loggins Loggins Bros. Hand Car Wash, Property Owner	3854 N. Teutonia Av. 10th Dist.
		Request to occupy the premises as a hand car wash facility.	
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal at the request of the Dept. of Neighborhood Services. Seconded by Henry Szymansk.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	22750 Special Use	Autobahn Automotive Service Todd Diaz, Lessee	8667 N. 107th St. 15th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no parking on unpaved surfaces. 5. That all landscape materials are to be removed from the parkway area between the street and sidewalk on N. 107th Street. 6. That no repair or storage of motor vehicles associated with this use occur on, or in any way obstruct, any public street, sidewalk or driveway. 7. That no vehicles associated with this use are to be parked on site in any manner which would obstruct the movement of traffic through any driveway, or are to be parked within the parkway area between the sidewalk and street. 8. That no vehicles be parked in the area designated as parking stalls 1 and 2 on the site plan. 9. That landscaping and screening plans are submitted which meet the intent of s.295-75. 10. That no disabled or unlicensed vehicles or auto parts are stored outside. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	22755 Special Use	Nicole Erving, Property Owner Jubilee of Colors Child Care Request to occupy the premises as a day care center for 20 children, ages 6 wks to 12yrs, from 6 a.m. to 5:30 p.m.	4678 N. 40th St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
38	22117 Variance	Phillip Epple, Property Owner Affordable Auto Salvage Request to continue to occupy as an auto salvage yard.	4485 N. Green Bay Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	22369 Use Variance	Roolie L. Youngblood, Property Owner Roolie's Roofing Service Request to continue occupying the premises as a contractor's shop and yard.	4232 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	22780 Special Use	Parklawn Christian Center Shawn Green-Smith, Lessee Request to occupy the premises as an office, training, and meeting facility.	4949 W. Villard Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That pavement markings delineating all parking stalls on site are restored and maintained consistent with the site plan. 5. That no parking occurs on any area of the site which is not paved. 6. That windows for the front elevation must be installed as shown on the plan submitted to the Board of Zoning Appeals on February 21, 2000. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
41	22851 Dimensional Variance	New Hope Missionary Baptist Church Rev. Archie Ivy, Property Owner Request to construct an addition to the existing church.	2464 W. Atkinson Av. A/K/A 2460 W. Atkinson Ave. 1st Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	22220 Special Use	Roberson Family Day Care, Inc. Margaret Roberson, Property Owner	6260 N. 76th St. 2nd Dist.
		Request to build a 59'x64' addition to the existing day care facility and expand capacity to 214 children.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant complies with all applicable codes regarding day care centers. 5. That a landscape buffer is installed between the N. 76th St. right-of-way and the parking lot. 6. That the southerly driveway on N. 76th St. is narrowed to a maximum width of 24 feet. 7. That the applicant continues to comply with all prior conditions of the Board as ordered in Decision No. 21135, except as may be amended herein. 8. That all child drop-off occur on site. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	22830 Special Use	Quick Cup David H. Charney, Property Owner Request to occupy the premises as a drive-through coffee sales facility.	1801 E. North Av. A/K/A 1809 E. Kenilworth 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That curb, gutter and sidewalk be restored at all abandoned driveways to the site, as required by City Ordinance. 5. That all traffic control signage to be installed on site is consistent with requirements of the Federal Manual on Uniform Traffic Control Devices, rather than the traffic control signage depicted in the sign plan. 6. That site illumination is controlled to prevent glare onto adjacent streets and residences. 7. That the appellant agrees to continue to work with Urban Design staff of the Department of City Development concerning design related issues. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	22787 Special Use	Amoco Gas Station Haji Ghaffar, Property Owner Request to continue to occupy the premises as a motor vehicle pumping station, convenience store, and car wash.	200 N. 35th St. A/K/A 200-212 N. 35th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant continues to comply with all prior conditions of the Board as ordered in Decision No. 19509, except as may be amended herein. 5. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

Other Business:

Board member Roy Nabors moved to approve the minutes of the March 9, 2000 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for April 13, 2000.

Board member Scott Winkler moved to adjourn the meeting at 5:15 p.m. Seconded by Board member Henry Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board